

By: Hunter

H.B. No. 3640

Substitute the following for H.B. No. 3640:

By: King of Parker

C.S.H.B. No. 3640

A BILL TO BE ENTITLED

AN ACT

relating to the confidentiality of an emergency call.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 552, Government Code, is amended by adding Section 552.157 to read as follows:

Sec. 552.157. EXCEPTION: CONFIDENTIALITY OF CONTENT OF EMERGENCY CALL. (a) A recording or transcript of an emergency call made to a public safety agency or a public safety answering point, as those terms are defined by Section 772.001, Health and Safety Code, is confidential.

(b) A governmental body shall disclose information that is confidential under this section and that is not confidential or otherwise excepted from required disclosure under another provision of law to a requestor who:

(1) has the express consent of the person who placed the emergency call or of a legal representative of the person;

(2) is an investigator licensed under Chapter 1702, Occupations Code, who certifies that the information will only be used in conjunction with a civil, criminal, administrative, or arbitral proceeding in a court or government agency, including service of process, investigation in anticipation of litigation, execution or enforcement of a judgment or order, or under any order of any court; or

(3) is a first responder as defined by Section

1 [421.095.](#)

2 (c) A governmental body may withhold a recording or
3 transcript described by Subsection (a) without the necessity of
4 requesting a decision from the attorney general under Subchapter G.

5 SECTION 2. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section [39](#), Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2017.